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– and –

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Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CURTIS AND CHARLOTTE WESTLEY,	)	No. C11-02448-EMC
Individually and on Behalf of All Others	)	and related consolidated action
Similarly Situated,	)	(Lead Case No. C11-3176-EMC)
	)	(Derivative Action)

Plaintiffs,

vs.

OCLARO, INC., et al.,

Defendants.

In re OCLARO, INC. DERIVATIVE  
LITIGATION

Lead Case No. C11-3176-EMC  
(Derivative Action)

This Document Relates To:

*Westley v. Oclaro, Inc., et al.,*  
C11-02448-EMC.

STIPULATION AND [PROPOSED] ORDER  
CONTINUING CASE MANAGEMENT CONFERENCE

1 WHEREAS, on July 15, 2013, the Court entered an order (i) approving the parties' joint  
2 stipulation to continue the Case Management Conference ("CMC") and continue the stay of all  
3 proceedings and deadlines in this action, including discovery deadlines, until after the CMC and a  
4 schedule for the remainder of the action is in place and (ii) rescheduling the CMC for September 19,  
5 2013 at 10:30 a.m. (Dkt. No. 162);

6 WHEREAS, on August 15, 2013, the Court entered an order rescheduling the CMC from  
7 September 19, 2013 at 10:30 a.m. to September 26, 2013 at 10:30 a.m., with the Joint CMC  
8 Statement due one week prior to the CMC (Dkt. No. 164);

9 WHEREAS, on August 27, 2013, the parties attended a mediation before the Honorable Layn  
10 R. Phillips (Ret.) in Newport Beach, CA to explore a non-litigated resolution of this matter;

11 WHEREAS, the parties made substantial progress at the mediation and desire additional time  
12 to conclude and document their efforts to achieve a non-litigated resolution of this matter;

13 WHEREAS, the parties have agreed, subject to the Court's approval, to reschedule the CMC  
14 to October 31, 2013 at 10:30 a.m. or another date thereafter that is convenient to the Court;

15 NOW THEREFORE, the undersigned parties, by and through their counsel of record,  
16 stipulate as follows:

17 1. Subject to the Court's approval, the CMC, currently set for September 26, 2013 at  
18 10:30 a.m., shall be rescheduled for October 31, 2013 at 10:30 a.m., or another date thereafter that is  
19 convenient for the Court.

2. The Joint CMC Statement shall be due one week prior to the CMC.

DATED: September 19, 2013

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s/ Shawn A. Williams  
SHAWN A. WILLIAMS

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Additional Counsel for Plaintiff

1 DATED: September 19, 2013

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3  
4 s/ Gidon M. Caine  
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19 Attorneys for Defendants

20 **Certificate Pursuant to Local Rule 5-1(i)(3)**

21 I, Shawn A. Williams, am the ECF User whose identification and password are being used to  
22 file the STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT  
23 CONFERENCE. In compliance with Local Rule 5-1(i)(3), I hereby attest that Gidon M. Caine has  
24 concurred in this filing.

25 Dated: September 19, 2013

26 s/ Shawn A. Williams  
SHAWN A. WILLIAMS

27 \* \* \*

28 **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE EDWARD M. CHEN  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 19, 2013.

s/ Shawn A. Williams

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## Mailing Information for a Case 3:11-cv-02448-EMC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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